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SUBJECT: SUDANESE LABOR UNIONS: THEATRICALS OR REAL PROGRESS?

11. (SBU) SUMMARY: Meetings with the Sudan Workers Trade Union Federation (SWTUF) and an independent Sudanese labor and human rights lawyer paint two different pictures of the Sudanese labor environment. On the one hand, the SWTUF claims that unions operate freely at the state and national levels and real progress has been made over the last few years by labor unions in concert with the GNU and employers to improve workers' living and working conditions. On the other hand, an independent Sudanese labor expert claims that the national labor federation acts only as an arm of the ruling National Congress Party (NCP) and is no more than a political mouthpiece. From this perspective, it pretends to lobby on behalf of its workers to achieve gains, when in reality all labor-related change is controlled by the GNU. END SUMMARY.

A CHECKERED PAST FOR THE SUDANESE LABOR MOVEMENT

12. (U) Sudanese political history has greatly restricted the organization and activity of trade unions. It was only during the brief period of democracy in the mid-80s that unions flourished and the Sudanese labor movement gained traction. Strikes, first banned by the government in May 1969, were legalized in 1985. The 1989 coup, however, brought a swift end to the labor movement. The National Salvation Revolution Command Council (RCC), led by President Al-Bashir, abolished labor unions and prohibited strikes by decree on 30 June 1989. The right to organize and join a union has since been restored under Al-Bashir's rule, but the Sudanese government dominates the leadership of all unions and tightly controls their activities.

IT MAY BE A MOUTHPIECE, BUT WITH REAL PROGRESS

13. (U) On 23 December, poloffs met with Ibrahim Ghandour, prominent NCP member and President of the only labor federation in Sudan, the SWTUF. Ghandour described the Sudanese federation as one of the oldest Arab-African trade unions. The federation is headquartered in Khartoum and consists of 25 state unions (one representing each state) and 22 industry unions and represents approximately 1.5 million workers in the formal and informal sectors. The state unions, according to Ghandour, are fully authorized to operate within their states. The Sudanese government does not financially support the federation; instead, each member pays USD 0.75 in union dues annually. Ghandour said that the federation has a good relationship with the GNU, especially at the level of the Presidency. He indicated that when industrial disputes occur, the office of the Presidency acts quickly to resolve them and generally sides with the unionists.

14. (U) Ghandour claimed that SWTUF has made vast improvements in

workers' conditions over the past several years. The biggest accomplishment to date has been in wages. In 1990, the minimum wage was USD26 per month; in 2007 the minimum wage is USD60 per month. The largest wage improvement by industry has been in general education. Ghandour told poloffs that before 2004, teachers used to look for education jobs outside of Sudan, particularly in Oman and Yemen, because the pay was less than USD100 per month. In 2004, there was an improvement of over 100% in general education wages and many Sudanese educators returned to take up jobs in Sudan. In addition, Ghandour said that the federation has improved access to land for its workers. "Before 1994", stated Ghandour, "it was a dream for a worker to own land." Now, 250,000 workers have acquired land for housing through a jointly-negotiated plan between the state governments and unions. Lastly, Ghandour pointed to improvements in the labor laws, which he characterized as labor-friendly. Revised labor laws have lavished new gains in social security and health benefits on workers. As a result of a new amendment, workers will receive 80 percent of their salary as pension, employer-funded. Ghandour attributed these improvements to the strong support for the SWTUF in the National Assembly (where many unionists sit) and at the Office of the Presidency.

15. (U) Ghandour lamented that one of the biggest problems in the workplace is occupational health and safety. The responsibility for this falls under the Ministry of Health, which is doing nothing to mitigate accidents or encourage awareness. SWTUF is trying to compensate for this by training its own members to teach its workers about petrochemical safety and other hazards. Despite this, Ghandour claimed that compensation for industrial accidents is "very good." Ghandour stated that labor disputes are settled in labor courts, which he said function well. He described the current labor environment as one in which workers are winning against employers. Because workers often cannot afford legal support, SWTUF is trying to offer it at no cost to its workers; however this will take time

KHARTOUM 00002059 002 OF 002

and money to institute.

16. (SBU) On the issue of foreign labor, SWTUF claims that there has been a recent influx of foreign workers into Sudan from China, Ethiopia, Thailand and Bangladesh. According to SWTUF, the Ministry of Labor estimates the number of foreign laborers in Sudan at 15,000, while Sudanese immigration officials estimate it at 100,000. Such laborers are willing to work cheaply, "do not make a fuss" over conditions or wages, and are non-associated. Ghandour stated that Chinese laborers will work for less than the Sudanese minimum wage. He said that a Foreign Labor Act has been drafted by the tripartite committee and is now with the Cabinet for approval. The act will specify that companies operating in Sudan must employ a certain percentage of Sudanese workers.

SWTUF - NOT ALL IT'S CRACKED UP TO BE?

17. (SBU) A meeting with Omar Hassan Shumena, a Sudanese labor and human rights lawyer who received his Masters of Law in London, told a different story about labor union movement in Sudan. Shumena, who previously worked as a legal advisor to the Government of Sudan and for the ILO in Geneva, described the trade union movement in Sudan as a "sham." He stated that unions have no effective leadership. He further stated that their members do not have a good grasp of union duties and rights, and claimed unions do not adhere to democratic practices. The union movement is a "cog in the machine of the (Sudanese) political system", declared Shumena. Because there is only one federation of unions, it can be "easily manipulated and controlled" by the GNU. The SWTUF is "not genuine", stated Shumena, "it is theatrical." Shumena stated that Sudanese minimum wages are not at all in sync with current inflation. Furthermore, unions seldom use their right to strike. Shumena criticized the fact that Sudanese trade union law states that workers may only associate within their enterprise, saying that the workers would have a stronger voice if they were able to associate within their industries. He stated that union activists are lobbying for this change while the NCP is resisting it.

18. (SBU) COMMENT: While there have been amendments to the Sudanese

labor law over the past several years which have served to benefit workers, unions in Sudan do not operate independently of the GNU. This is evident in the streamlined organizational structure of the union system in Sudan and the fact that the head of SWTUF is a well-known NCP figure. Although Sudan is a signatory to ILO convention 98 which allows workers the right to associate and bargain collectively, all bargaining is done by the SWTUF in a government-run tripartite committee. The SWTUF feigns to be a powerful, independent force that reckons with the government and employers in order to effect change on behalf of workers. Although some progress has been achieved to improve workers' conditions, workers' rights still remain extremely limited. Union activity takes place under the microscope of the Sudanese government. A true labor movement cannot take root until the GNU allows labor unions to form and operate freely. The 2009 election cycle may provide an opportunity for independent unions to form, but not if the ruling coalition that results from the election continues to restrict the free association of labor groups.

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